

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 12, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1623 - REQUEST TO VACATE A PORTION OF A
PLATTED BUILDING SETBACK LOCATED IN AN AREA SOUTH OF PAWNEE
AVENUE AND EAST OF ROCK ROAD ON SCOTT COURT
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback.

MAPC Recommendation: Approve vacation of building setback.
(unanimous)

Background: An existing structure encroaches into the building setback and is requested to clear title. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing, approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to:

150029-2909

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BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A)
PORTION OF A PLATTED BUILDING SETBACK)
GENERALLY LOCATED IN AN AREA SOUTH OF)
PAWNEE AVENUE AND EAST OF ROCK ROAD ON)
SCOTT COURT (V-1623).)
MORE FULLY DESCRIBED BELOW)

Approved / Accepted By City Council
This SEP 12 1989

VACATION ORDER

NOW on this 12th day of September, 1989, comes on for hearing the petition for vacation filed by Ray Jacoby, praying for the vacation of the following described building setback, to-wit:

Commencing at the N.W. corner of Lot 7, Block 3, Towne Parc 2nd Addition, Wichita, Kansas: thence N 63°24'21" E, along the northerly line of said Lot 7, 25 feet to a point on the 25 foot building setback line as platted in said addition; thence southerly along said 25 foot building setback line, having a 75 foot radius, an arc distance of 5.44 feet with a chord bearing and distance of S 24°31'00" E, 5.44 feet, for a point of beginning; thence S 03°33'25" E, 26.07 feet; thence N 86°26'35" E, 4.02 feet to a point on the 25 foot building setback line; thence northerly along said setback line 26.52 feet to the point of beginning.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on 8/30 & 9/6/89.
2. No private rights will be injured or endangered by the vacation of the above-described building setback, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of the building setback described herein should be approved.

Vacation Order
V-1623
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of September, 1989, ordered that the above-described building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

Bob Knight
Bob Knight, Mayor

ATTEST:



John Moir
John Moir, City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

State of Kansas }
Sedgwick County }
City of Wichita }
I, Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office of the City Clerk. Given under my hand and seal of the City of Wichita, Kansas, this SEP 12 1989 day of September, 1989.
Dale E. Rea Deputy City Clerk

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED FOR RECORD AT
11:00 A.M.
SEP 20 1989 1029513
PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

800 City Clerk

MAN COMPANY, P.A.